

PCT

DT07 d PCT/PTO 20 DEC 2004 #2



PATENT

Atty. Docket No. 2786 (203-3098 PCT US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Joseph P. Orban, III

Examiner: Not Yet Known

Serial No.: 10/508,445

Group: Art Unit Not Yet Known

Filed: September 16, 2004

Dated: December 16, 2004

For: MINIMALLY INVASIVE REMOVAL DEVICE  
WITH BREAKAWAY SHEATH

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the cited U.S. patents and published U.S. patent applications are not provided pursuant to the waiver of this requirement under 37 C.F.R. §1.98 for national applications filed after June 30, 2003. Foreign patent documents are enclosed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 16, 2004

  
\_\_\_\_\_  
Francesco Sardone

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☒ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

**TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Francesco Sardone

Reg. No. 47,918

Attorney for Applicant(s)

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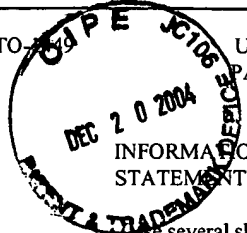
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| Form PTO-1449<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br>(Use several sheets if necessary) | U.S. DEPARTMENT OF COMMERCE<br>PATENT & TRADEMARK OFFICE | ATTY. DOCKET NO.<br>2786 (203-3098 PCT US) | SERIAL NO.<br>10/508,445 |
|  | APPLICANTS<br>Orban                                      |  |                          |
|  | FILING DATE<br>September 16, 2004                        | GROUP ART UNIT<br>Unassigned               |                          |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE    | NAME                | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|--------------------|---------|---------------------|-------|----------|-------------------------------|
|                     | 30,471             | 10/1860 | Dudley              |       |          |                               |
|                     | 156,477            | 11/1874 | Bradford            |       |          |                               |
|                     | 1,609,014          | 11/1926 | Dowd                |       |          |                               |
|                     | 3,800,781          | 4/1974  | Zalucki             |       |          |                               |
|                     | 4,557,255          | 12/1985 | Goodman             |       |          |                               |
|                     | 4,744,363          | 5/1988  | Hasson              |       |          |                               |
|                     | 4,790,812          | 12/1988 | Hawkins, Jr. et al. |       |          |                               |
|                     | 4,927,427          | 5/1990  | Kriauciunas et al.  |       |          |                               |
|                     | 4,997,435          | 3/1991  | Demeter             |       |          |                               |
|                     | 5,037,379          | 8/1991  | Clayman et al.      |       |          |                               |
|                     | 5,074,867          | 12/1991 | Wilk                |       |          |                               |
|                     | 5,084,054          | 1/1992  | Bencini et al.      |       |          |                               |
|                     | 5,143,082          | 9/1992  | Kindberg et al.     |       |          |                               |
|                     | 5,147,371          | 9/1992  | Washington et al.   |       |          |                               |
|                     | 5,176,687          | 1/1993  | Hasson et al.       |       |          |                               |
|                     | 5,190,542          | 3/1993  | Nakao et al.        |       |          |                               |
|                     | 5,190,555          | 3/1993  | Wetter et al.       |       |          |                               |
|                     | 5,192,284          | 3/1993  | Pleatman            |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT<br>NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|--------------------|---------|---------|-------|----------|-------------|----|
|  |                    |         |         |       |          | YES         | NO |
|  | 1272412            | 8/1961  | FR      |       |          |             |    |
|  | 25796              | 8/1883  | DE      |       |          |             |    |
|  | 8435489            | 12/1984 | DE      |       |          |             |    |
|  | 3542667            | 6/1986  | DE      |       |          |             |    |

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

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(Use several sheets if necessary)

**APPLICANTS**  
**Orban**

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**September 16, 2004**

**GROUP ART UNIT**  
**Unassigned**

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

[illegible]

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